

**TOWN OF BUCKEYE  
REGULAR COUNCIL MEETING  
DECEMBER 6, 2005  
MINUTES**

**Town Council Chambers  
100 N. Apache Road  
Buckeye, AZ 85326  
7:00 p.m.**

**1. Call to Order/Pledge of Allegiance/Roll Call.**

Mayor Hull called the meeting to order at 7:02 p.m. and led the pledge of allegiance.

Members present: Councilman Meck, Vice Mayor Urwiller, Mayor Hull, Councilwoman May, Councilman Doster, and Councilman Garza.

Members Absent: Councilman Beard

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Public Information Officer Bob Bushner, Town Engineer Woody Scoutten, Technology Manager Dee Hathaway, Finance Director Doug Allen, Economic Development Director Richard Chapman, Community Development Director Bob Bushfield, Police Chief Dan Saban, Fire Chief Scott Rounds, Fire Marshall Bob Costello, Human Resource Director Toni Brown, Parks and Recreation Director Jeanine Guy, and Public Works Director Scott Lowe.

**2. Comments from the Public – Members of the audience may comment on any item of interest.**

None

**CONSENT AGENDA ITEMS**

Approval of items on the Consent Agenda – All items with an (\*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. There will be no separate discussion of these items unless a Councilmember requests. Councilwoman May requested Items \*5C, \*5D, and \*5E be pulled for discussion. Motion made by Councilwoman May and seconded by Councilman Doster to approve Items \*5A, \*5B, \*5F, \*5G, \*5H, \*5I, \*5J, \*5K, \*5L, \*5M, \*5N, and \*5O. Motion passed unanimously.

\*3. Council approved the minutes of the November 15, 2005 Regular Council Meeting as presented.

\*4. Council approved the invoices due by the Town for payment. Copies of invoices are available at Town Hall.

**\*5A. DMB ASSOCIATES MOD05-11 (MOD)**

Council approved the Map of Dedication (MOD) requested by Kurt Jones, of Biskind, Hunt, and McTee on behalf of DMB Associates for McDowell Road within the Verrado Master Planned Community in the amount of approximately 229,018 sq. ft. of right of way and landscape/sidewalks tracts located generally west of Verrado Way.

**\*5B. (MOD) for Verrado Way DMB ASSOCIATES & SUNBELT MANAGEMENT COMPANY MOD05-13**

Council approved the Map of Dedication (MOD) requested by Kurt Jones of Biskind, Hunt and McTee of DMB Associates and Sunbelt Management Company for Verrado Way (south of I-10) generally located south of I-10 and north of Roosevelt Street alignment in the Verrado Master Planned Community in the amount of approximately 172,586 sq. ft. of right of way and landscape/sidewalk tracts.

**\*5F. Subdivide 75 Acres-VESTAR DEVELOPMENT COMPANY FP05-78**

Council approved the Final Plat requested by Manjula Vaz on behalf of Vestar Development Company for Sundance Towne Center to subdivide approximately 75 acres into 19 parcels for the purpose of sale and lease.

**\*5G.Verrado Master Planned Community, Planning Unit III Final Plat-DMB ASSOCIATES FP05-88**

Council approved the Final Plat for Verrado Parcel 3.306 requested by Kurt Jones of Biskind, Hunt and McTee on behalf of DMB Associates for 43 residential lots and 6 tracts on an approximately 4.08 acre subdivision generally located north of Thomas Road and west of Verrado Way in the Verrado Master Planned Community, Planning Unit III.

**\*5H. Verrado Parcel 3.311 Final Plat-DMB ASSOCIATES FP05-89**

Council approved the Final Plat for Verrado Parcel 3.311 requested by Kurt Jones of Biskind, Hunt and McTee on behalf of DMB Associates for 14 residential lots and 2 tracts on an approximate one acre subdivision generally located north and south of Thomas Road and west of Heritage Street in the Verrado Master Planned Community.

**\*5I. Verrado Parcel 3.301-DMB ASSOCIATES FP05-90**

Council approved the Final Plat for Verrado Parcel 3.301 requested by Kurt Jones of Biskind, Hunt and McTee on behalf of DMB Associates for 78 residential lots and 23 tracts on an approximate 7.83 acre subdivision generally located south of Thomas Road and west of Verrado Way in the Verrado Master Planned Community.

**\*5J. Buckeye Women's Club Donation**

Council approved the request from the Buckeye Women's Club for a \$4,000 donation from the contingency fund.

**\*5K. Paid Employee Holiday**

Council approved the addition of two paid half days (Friday, December 23, 2005 and Friday, December 30, 2005) for Town employees during the upcoming 2005 holiday season.

**\*5L. Network Secure Access Infrastructure at Town Hall Modular Facility**

Council approved the installation of network/secure access infrastructure at the Town Hall modular facility in an amount not to exceed \$50,243.57 to be funded from the I.T. Department line item number 120-50-601 General Fund Capital Improvements.

**\*5M. Intergovernmental Agreement Amendment- Town and Maricopa County Library District for the Reciprocal Borrowing Program**

Council approved the Intergovernmental Agreement Amendment between the Town and Maricopa County Library District for the Reciprocal Borrowing Program (C-65-02-012-1).

**\*5N. Auditing Services-Doris Hodges**

Council approved the Contract for Professional Services between Doris Hodges and the Town for auditing services in the amount of \$40,000 beginning January 5, 2006 through January 4, 2007.

**\*5O. Easement Agreement- Arizona Public Service Company-Apache Road Easement**

Council ratified the Easement Agreement between the Town of Buckeye and ATI Title Agency and Arizona Public Service Company for the easement on Apache Road.

**NON CONSENT AGENDA: ITEMS PULLED FOR DISCUSSION**

**\*5C. WESTMARK HOMES FP03-476**

Councilwoman May was concerned about the water line not being large enough to accommodate the Town's future needs. Engineer Woody Scoutten assured Council that the main line was large enough for future growth because there was another main line connected to it. Motion made by Councilman Meck and seconded by Councilwoman May to approve the Final Plat requested by Sam Aston of Westmark Homes for Mountain View Estates on approximately 40.167 acres located generally at the northwest corner of Apache Road and Beloit Road with the added stipulation which reads; *"Sewer capacity at the Towns wastewater treatment plant for this plat shall be provided by the owner, at its expense, pursuant to the terms of the "Letter of Understanding Beloit Waste Water Plant 2A and 2B Expansions", dated September 5, 200. Unless and until such expansion is provided by the owner the plat shall not be recorded and the residential units shown on the plat shall not be constructed"*. Motion passed unanimously.

**\*5D. WARNER STREET LAND DEVELOPMENT, L.L.C. FP05-11**

Motion made by Councilman Doster and seconded by Councilwoman May to table the Final Plat requested by Karen Williamson on behalf of Warner Street Land Development, L.L.C. for West Park Phase 2, Parcel 20S on approximately 22.07 acres located within the West Park Master Planned Community, generally located on the West Park Loop, west of Rooks Road and South of I-10. Motion passed unanimously.

**\*5E. WARNER STREET LAND DEVELOPMENT, L.L.C. FP05-39**

Motion made by Councilman Doster and seconded by Councilwoman May to table the Final Plat requested by Karen Williamson on behalf of Warner Street Land Development, L.L.C. for West Park Phase 2, Parcel 18S on approximately 46.31 acres located within the West Park Master Planned Community, generally located on the West Park Loop, west of Rooks Road and south of I-10. Motion passed unanimously.

**6. NON CONSENT AGENDA ITEMS****6A. PUBLIC HEARING-Annexation-CMH MFG INC. A05-35**

A Public Hearing was opened at 7:22 p.m. to hear citizen input about the request by Earl Lucas of Robert E. Porter Construction Company on behalf of CMH Manufacturing Incorporated for the proposed annexation of 10 acres located an eighth of a mile south of the Maricopa Road and east of Apache Road. Development Director Bob Bushfield was available to answer questions. There being no comment from the public the hearing was closed at 7:22 p.m.

**6B. PUBLIC HEARING-Annexation of Hayden Valencia SUN WEST COMMUNITIES A05-21**

A Public Hearing was opened at 7:25 p.m. to hear citizen input about the request by Quentin Thornton of Sun West Communities for the proposed annexation of Hayden Valencia of approximately 238.1 acres located at the southwest corner of Southern Avenue and Apache Road. Development Director Bob Bushfield was available to answer questions. There being no comment from the public the hearing was closed at 7:25 p.m.

**6C. PUBLIC HEARING – CMX, L.L.C. GPA05-04**

A Public Hearing was opened at 7:25 p.m. to hear citizen input about the request by Penny Newton on behalf of CMX L.L.C. on the proposed amendment the General Development Plan on approximately 534.1 acres generally located between Wilson Avenue, Turner Road, the Buckeye Canal, and U.S. Highway 80, and as set forth on the Land Use Plan. Steve Earl, Earl, Curley and LeGard were available to answer Council's questions. There being no comment from the public the hearing was closed at 7:40 p.m.

**6D. PUBLIC HEARING -Community Development Block Grant projects for Program Year XXVIII**

A Public Hearing was opened at 6:40 p.m. to hear citizen input about the potential Community Development Block Grant projects for Program Year XXVIII. Public Works Director Scott Lowe was available to answer Council's questions. Mayor Hull expressed his concern about the projects being started and not being to finish them due to the unsecured future of CDBG Block Grant Funds. There being no comment from the public the hearing was closed at 6:44 p.m.

**6E. Resolution 68-05 General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map-CMX, L.L.C. GPA05-04**

Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to Council to adopt Resolution 68-05 authorizing a General Plan Amendment to the Town of Buckeye General Development Plan Land Use District Map requested by Penny Newton on behalf of CMX, L.L.C. amending the designation of approximately 534.1 acres generally bounded on the west by Wilson Avenue, on the east by Turner Road, on the south by U.S. Highway 80, and on the north by the Buckeye Canal from Employment Corridor Residential to Master Planned Community with all stipulations. Motion passed unanimously.

**6F. Resolution 69-05-Community Block Grant funds for Program Year XXVIII**

Motion made by Councilman Meck and seconded by Councilwoman May to adopt Resolution 69-05 authorizing the Town to submit an application to the Maricopa County Development Department for Community Block Grant funds for Program Year XXVIII and authorizing the CDAC representative and Town Manager to sign all necessary documents. Motion passed unanimously.

**6G. (GMP#3) Clear Creek Associates, PLC- Construction Services for Well #14**

Public Works Director Scott Lowe and Town Manager Carroll Reynolds were available to answer Council's questions. Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to Council to approve Guaranteed Maximum Price #3 (GMP#3) for Clear Creek Associates, PLC to provide Construction Management at Risk Services in an amount of \$1,210,921 to be funded from Budget line item 190-50-624 for project management and construction services for Well #14 in the form of the agreement attached, with or subject to those minor changes necessary to finalize the agreement. Motion passed unanimously.

**6H. Resolution 70-05- Quit Claim Deed to Strander Petroleum, Inc.**

Motion made by Vice Mayor Urwiller and seconded by Councilman May to Council to adopt Resolution 70-05 authorizing the Mayor to execute a Quit Claim Deed to Strander Petroleum, Inc., to a strip of land comprising an abandoned alleyway generally located near the southeast corner of the intersection of 4<sup>th</sup> Street and Arizona Eastern Avenue and designated as Parcel No. 400-18-038 in the records of the Maricopa County Recorder. Motion passed unanimously.

**6I. Resolution 71-05- State Lake Improvement Funds for Buckeye Town Lake**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to Council to adopt Resolution 71-05 approving the application for State Lake Improvement Funds for property acquisition, design and construction (Phase 1)

for the proposed Buckeye Town Lake. The grant request is for \$4,720,250 (\$3,000,000 from State Lake Improvement Funds (SLIF) and \$85,000 from Town Impact Fees designated for the Lake Project and \$138,500 for the updated feasibility study). Motion passed unanimously.

**6J. Consulting Services Agreement with Gutier Group, L.L.C.**

Town Manager Carroll Reynolds told Council that this Agreement would provide the Town with up to date information on legislative issues. Mr. Gutier told Council that this service was important for future issues affecting the Town. This information will be given to the Town Manager each Friday to distribute to Directors and Council. Motion made by Councilman Meck and seconded by Councilwoman May to approve the Agreement for Consulting Services between the Town and Gutier Group, L.L.C. to provide public affair services and advisory information on legislative issues that concern the Town's interest in the amount of \$5,500 per month for the term of December 1, 2005 through November 30, 2006. Motion passed unanimously.

**6K. Earl Edgar Recreation Facility**

This item was moved to the front of the non-consent agenda. Motion made by Councilman Meck and seconded by Councilwoman May to approve the construction of memorial signs for the Earl Edgar Recreation Facility to Bill Rouseel Construction, L.L.C. in an approximate amount of \$12,275.36 to be funded from APS Mitigation Funds, line item 066-50-559 and a \$1,500 donation from the Edgar family. Motion passed unanimously. Richard Adams requested to comment on this item to Council and voiced concerns about the funds used to build the facility. After hearing Mr. Adams comments the motion by Councilman Meck to approve stands.

**6L. Parks, Open Space and Trails Master Plan**

Motion made by Councilman Meck and seconded by Councilman May to Council to adopt the Parks, Open Space and Trails Master Plan as presented. Motion passed unanimously.

**6M. Conversion of Sworn Positions to Three Non Sworn Public Safety Positions**

Commander Turpey told Council that because Dispatchers are responsible for the Public and Police safety it is important to the department to maintain a full staff of dispatchers. Motion made by Councilman Meck and seconded by Councilwoman May to approve the conversion of two sworn positions to three non-sworn public safety dispatchers. Motion passed unanimously.

**6N. Tonopah-Salome Highway from the Arizona State Land Department- Stardust Tartesso W12, Inc.**

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to obtain the right-of-way along the Tonopah-Salome Highway from the Arizona State Land Department and RT3 Holding, L.L.C., authorize the Town Manager to sign all necessary documents, and accept payment of all necessary amounts from Stardust Tartesso W12, Inc. Motion passed unanimously.

**7. Town Manager's Report**

- Announced the retirement of Dick Sarter in the Police Department.
- Employee Holiday Party Friday December 9<sup>th</sup>.

**8. Comments from the Mayor and Council**

**Councilman Meck**-Commended Jeanine Guy for her hard work on the Parks Master Plan, voiced his concerns about Payday Loan businesses, Possible site for Fiesta Bowl or Super Bowl.

**Councilman Beard**-Absent

**Vice Mayor Urwiller**-None

**Councilwoman May**-Commended Verrado for listing Buckeye as its location.

**Councilman Doster**-University of Ohio visiting area.

**Councilman Garza**-None

**Mayor Hull**-Wished everyone a Merry Christmas.

**9. Adjournment.**

There being no further business to come before Council motion made by Councilman Meck and seconded by Councilwoman May to adjourn the meeting at 8:25 p.m. Motion passed unanimously.

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**Dustin Hull, Mayor**

**ATTEST:**

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**Linda Garrison, Town Clerk**

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 6th day of December, 2005. I further certify that a quorum was present.

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**Linda Garrison, Town Clerk**